



## SAN FRANCISCO LETTER.

NOTES CONCERNING ART WORK AND ARTISTS.

Little Sisters' Flower Fete—A Song Recital—Park Conservatory—The Park and Ocean Railroad—Etc.

SAN FRANCISCO, December 12, 1883.

I was very much interested to hear the other day that Julian Rix had sent a score of pictures out here from New York to be sold. They were on private exhibition at the big parlor, or billiard-room, at the Grand Hotel. ("Dining-room" is on the door, but that seems to be comparatively unnecessary). Mounting guard over the paintings was young Frank Unger, easily described to Californians as the man who acted Admiral Joseph Porter in our first siege of "Pinafire," to Emelie Melville's "Josephine, half a dozen years ago. Some of the pictures were extremely pretty and a great advance in technique upon anything I have ever seen from Rix's brush, save and except the "Roofs in Chinatown," exhibited here at the Art Association room, about this time last year, the picture that took the prize at the Salmagundi Club exhibition in New York City. Most of these on view at the Grand Hotel are done in black and white, not the usual very white moon in a very neutral tint sky lighting up a glistening sail or an alabaster sea, but sunlit and winter landscapes, winding rivers and one view on the water front, of a house propped on piles, with a star-case rickety and slimy, leading down to the water. Clearly the study was made at low tide, and the water mark and ooze, the mud bank and view through

THE TOTTERING ROTTEN SUPPORTS, Suggested some unpleasant rendezvous of Dickens' riverside characters, and literally cried out for a scene to be written up to it. Another, just as good in handling and more pleasant in suggestion, was done in colors. A cottage, also on the water front, and lighted up from within, a schooner, moored beside a pier, a green light bound to the mast, and long tremulous lines of light upon the shadowed water, all this had the sky red moon half swallowed up in fog. This moon is a man with the artist for the moment, as birch trees and lurid sunsets on snow were formerly. The decorative screen has laid its fell fascination upon him, and the red and yellow moon, full or crescent, appears continually, cradling, framing and surmounting things like the Turkish star and crescent sign on the Hamman baths turned decorative. My interest in Rix dates back several years. He was the first artist I ever saw, "near to," as certain say. Everyone who has been so foolish as to visit Boston, or Bimini by various relatives, usually feels intense curiosity about its inhabitants, curiosity fostered by such novels as "Pendennis" and "Vanity Fair," and the graceful allusions to their "salad days" in certain poems of Aldrich and Edmund Stedman, and the knights of the brush generally present themselves to the youthful imagination as the most interesting of the artistic brotherhood.

SKETCH OF THE ARTIST.

Back in 1877 there was given what was called an artist's ball at the Art Association rooms, intended to be "the first, as 'twere, of a long line of such," to start a fund for the amelioration of art in the city. The tickets were expensive, the reception committee swell, and everything auspicious. When I knew of the artist's name to go to happiness was boundless, and, on arriving when the chief of the reception committee—the loveliest woman I ever hope to meet, by the way—asked me, "Now whom do you wish to meet?" I could just gasp out, "All the artists that are here." Rix came first, tall and blonde, with long English side whiskers, and a funny drawl in speaking, anything but English, yet a thoroughly satisfactory specimen of his fraternity. He dared to speak of the coming supper as hash, and showed himself recklessly unreserved and independent of care. Every mingled with my admiration. Later I heard how he had been true to his art under difficulties. His father, Judge Rix, did not approve of his son's choice of painting for a calling, and, to cure him of his fancy, put him into the shop of a house and sign painter, where he might "get all the paint he wanted," as the stern sire expressed himself. But Julian painted good signs, learned to mix and value colors, and always working steadily toward his object, achieved studio and career at the Art Association in New York with an eye to Paris. A proponent of art, Fred Yates is ill, has shut up shop for a week and gone into the country to recuperate. By all advice he had best go far south for the cold snap is invading unheard of places—Santa Rosa for instance, where the warm work going on does not mitigate the atmospheric severity at all. By the way, since the trial makes everyone connected with the suit interesting for the hour, gossip hastens to say that Mrs. Dan Cook will marry her deceased husband's brother, Ned Cook, and that last named individual is furnishing a present to the young man in New York in order to instate his bride; but those who should know best deny positively that any such marriage is in the least likely ever to be.

LITTLE SISTERS' FLOWER FETE

Took place at the Pavilion last Wednesday evening. The Little Sisters' Infant Shelter is one of the prettiest charities in the city. It is a day home for working people's children, the first institution of the kind ever founded in this city. Some little girls, the leader among them, Miss Daisy Spear, only daughter of Mr. and Mrs. Joseph Spear, started the writer, which took its name from a first little name. Now it is of several years standing, and most of its first friends being married and settled long ago, though still watching over its progress. One of its most devoted friends is a Mrs. Buffandean. I think she was in Sacramento during the last session of the Legislature. She is a beautiful woman, with delicate, regular features, golden hair and dark eyes, a charming type if God did all, "as Viola says of Olivia in 'Twelfth Night'—people say the golden flower is the most popular in the city, though among most California girls. On the sides of good looks Mrs. Buffandean has a really marvelous talent for organizing showy and interesting entertainments—something a little out of the usual run, something the Infants' Shelter is raised to raise the necessary money each year without having recourse to the stereotyped lunch, dance or bazaar. The fete Wednesday evening began with a minuet danced by sixteen young ladies,

COSTUMED TO REPRESENT FLOWERS.

The dance was executed by two sets of eight dancers each, under garlands of flowers crossed and made fast to lances, upheld by little children standing on pedestals, four children holding the crossed garlands over each set. The floor of the pavilion was canopied, and tiers of graduated seats went round three sides for spectators. The west end was occupied by the grand stage, on which, while the curtain was drawn, a tableau of animated flowers was displayed. It was in front of a Moorish facade and two or three banana trees, were placed a panay, a pink lily and a white lily, all of enormous size, which opened to slow music, disclosing elaborately costumed young women within their petals, a surprisingly pretty effect always on every stage. Company F, of the militia, lent its little aid to the festivities, and executed some nice maneuvers. A silk flag was presented to them by the ladies interested in the fete, and Miss Ellen Clegg, one of our girls, had been singing the "Star-Spangled Banner," accompanied by the band. There was a crowded house, and a dance to wind up everything, and the affair was a success

financially, than which no society could ask more. Mrs. R. N. Van Brunt gave a song recital, at Dashaway Hall, on Monday evening, with one of the prettiest programmes that anybody has presented for a long time. Sullivan's, Schumann's, Rubinsteins, Beethoven's and Grieg's songs are certainly the best that are. Mrs. Van Brunt, who assisted Mrs. Van Brunt, though not so well-known as that lady, made a most favorable impression. On Saturday I took a ride on the much-talked-about

PARK AND OCEAN RAILROAD.

There was half an hour to spare when we reached the entrance of the Park by the Market-street car, so we had a look at the new conservatory which replaces the burnt one. It is finished, all the signs of the painter work are effaced, and the tropical plants, somewhat shorn of their stately proportions, are all set out under the loiter dome. They are thriving, however, though the tangled mystery of their full growth is wanting. The conservatory had grown half a dozen years ago. Some of the pictures were extremely pretty and a great advance in technique upon anything I have ever seen from Rix's brush, save and except the "Roofs in Chinatown," exhibited here at the Art Association room, about this time last year, the picture that took the prize at the Salmagundi Club exhibition in New York City. Most of these on view at the Grand Hotel are done in black and white, not the usual very white moon in a very neutral tint sky lighting up a glistening sail or an alabaster sea, but sunlit and winter landscapes, winding rivers and one view on the water front, of a house propped on piles, with a star-case rickety and slimy, leading down to the water. Clearly the study was made at low tide, and the water mark and ooze, the mud bank and view through

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## A CHARMING WOMAN.

"A charming woman," I've heard it said. "By other women as light as she; But all in vain I puzzle my head. To me she is the most perfect. And her form is quite as good as the best—Where Nature has given the bony stuff, And never given the rest."

Intelligent? Yet, in a certain way, With the feminine gift of ready speech; And knows very well what not to say. Whenever the theme transounds her reach; But then she is as quiet as a dove.

From an opera cloak to a robe de nuit—Hats, basques or bonnets 'will make you stare To see how funny the lady can be!

Her laugh is hardly a thing to please; For an honest laugh must be part. From a smile, like a sudden breeze, And hers is purely a matter of art—A muscular motion made by the heart. Who turns her head, it is on his beneath. The finer muscle, but what can she do? If that is ruined, to show the teeth?

To her seat in chaise—a good half-mile. When the day is fine she is sure to go, Arrived, of course, in the most style. La belle Ursula got to show And she puts her hands on the velvet pews (Can hands so white have a taint of sin?) And thinks she is the belle of blue. Must then harmonize with her milky skin.

And what shall we say of one who walks? In fields of flowers to choose the weeds? Readers of whom she never talks, And talks of nothing but the weather. "She is a charming woman," I've heard it said, "By other women as light as she; But all in vain I puzzle my head. To find who has the charm may be."

## THREE LITTLE EMIGRANTS.

Near the little German village of Niederröhr lived a man whose name was Hermann Abt. His wife, Ursula, worked with her husband to till their small strip of garden land, and took care of the cottage home and the children. They were an industrious, happy family, yet sometimes the father seemed troubled; and when Ursula would ask him why he sat so silent and sad by the fireside, he would reply: "It is about the children I am thinking."

But Ursula knew that the children had good pumpkinnickel and sauerkraut and potatoes, and now and then a bit of meat; their clothes were warm and clean, and their wooden-soled shoes such as other peasant children wore. Besides, they were rosy and merry and stout. Ulrich was 10 years old. Already he could take the year's taxes to market in his dogcart, and no boy in the little school was as bright as he. What, then, could trouble the heart of the father?

One frosty December night Ulrich came from the village with a letter in the pocket of his blouse. It was not often that messages from the great, bustling world came to the peaceful cottage, and wife and children drew curiously around the table while Hermann broke the seal.

"In from Hans Schaefer, who went to seek his fortune in America," he said. "The letter was well read aloud. It told of poverty in the New World, and promised help. If Hermann and Ursula would come to Illinois to make a home as he had done.

Ursula laughed at the thought.

"Ach, mein!" she exclaimed, "we shall stay in the Fatherland. Are we not quite comfortable and happy now?"

Then she carried her two little girls off to bed, and told them a story of a naughty child who stuck her finger in an unbaked Christmas cake and could not pull it out again."

But the father did not sleep that night, and all the next day he worked as if he were dreaming. And so, indeed, he was. He was dreaming of a land of foreign speech and foreign customs, where industry was boundlessly rewarded; where freedom was more a fact than a theory; where the bondage of caste was broken; where his Ulrich, who loved his books, might become a great man; where Elsie and little Gretchen might live a broader life than their simple-peasant mother had ever dreamed of. After two days the doing was done.

"My child, I will!" for a long year I have been trying to decide—now it is done. The mother and I must go to America. As soon as we find work and get a bit of a home and gold enough there shall bring the little sisters to us over the seas. Americans are friendly to the stranger, and the dear God will care for us!"

Ulrich was glad and confident. But alas! for poor Ursula! The mother-heart was well-nigh broken at the thought of leaving her children, her home and native land. Yet soon she, too, began to yearn to verify the promise of the New World, and tears and smiles and tears the decisive letter was written. Simple preparations were soon made. February came and brought the parting day. Ulrich, Elsie and Gretchen were to remain with their Aunt Kathrina.

"It shall not be long, my children," said the father, with quivering lips, as he lifted and little Gretchen in his arms.

"No, no; it shall not be long," sobbed poor Ursula, with tears pouring down her cheeks. "It shall be before the Christmas time, for we will work day and night and save every groschen to send you."

The months in the New World went swiftly by. At first the anguish and suspense seemed very hard to understand, but day by day, with unfailing industry, the father and mother toiled and studied. Hans Schaefer, true to his promise, had found work for his friends with a gardener, where Hermann's strength and skill and Ursula's faithfulness soon won the confidence of their employer.

One day Mr. Martin came upon the pleasant-faced German woman bending over a bed of lettuce, with one hand busily pulling up the weeds, with the other brushing the tears from her eyes. She was talking softly to herself. He stopped, and Ursula, looking up suddenly, saw a kind but curious gaze in her eyes.

She began to tell her story, half in broken English, half in the mother-tongue, but with an artless pathos more eloquent than words.

"Hermann makes toys by night," she added, "and I knit stockings and shawls to sell to the Germans in Milwaukee. But the children will not be here for the Christmas festival! The money comes too slowly, though Hermann drinks no more a glass of beer, but puts the money in the box for the children's long journey.

If you could only have seen the glad faces, if you could only have heard the glad shouts when that package came! You would know then, surely, that the heart of the German children are just as loving and as those of American children.

Aunt Kathrina's home would be very lonely without them, she said. And how could such little folks go so far alone? But there was the letter for the Captain and money for warm clothing and tickets to bring them all the way to Germany, where the father and mother were waiting and waiting for them.

"We are not afraid to trust Ulrich with his sisters and the father. The boy is strong and strong in spirit as with glowing eyes he read those words."

So Aunt Kathrina gave the three children into the care of the genial German Captain. Then she put in dear little Gretchen's hand a tiny Testament to carry all the way. On the fly-leaf were written the names and ages of the children, where they came from and where they wished to go—for Aunt Kathrina was a sensible woman—and those words were added:

"Jesus said, whosoever shall give to one of these little ones a cup of cold water only, he shall in no wise lose his reward."

And so the long, long voyage of sixteen days. Passengers and crew were kind to the Captain's little friends. Many a happy hour they passed on deck, watching the waves and listening to the songs of the sailors. Sometimes the odd little

group would be seen nestled in the shelter of the cabin, Gretchen fast asleep with her curly head against her brother's shoulder, and the Testament tightly clasped in her hand. The stars shone pale and the good ship rolled heavily in the trough of the black billows. Ulrich was fearless and cheerful. He told the sisters fairy tales, and watched by their box-like berth every night till the big, blue eyes were fast closed in sleep.

New York city looked like a new world to these simple peasant children. There were forests of masts, and great ocean steamships and crowded steam ferry-boats. A multitude of Americans were waiting to welcome long-absent friends. There was laughing and crying and shouting and motioning.

"I see my papa! I see my papa!" exclaimed little Elsie all at once, as the ship drew slowly near the crowded pier.

"No, no, Elsie! I see that man, too, but it is not our papa. Oh, I wish it was!"

"But it is!"

No, it was the father of the little German boy who had played with them during the voyage, and who had come with his mother from Berlin. It made our little folks cry for joy and envy to see him welcome his child. But Ulrich quickly brushed away his tears.

"Do not cry, sisters," he said. "After two days more we shall see him, and the mother too."

So they watched the passengers leave the ship, watched the custom-house officers inspecting the luggage, and, by-and-by, when the November twilight was fading into light, and the great city was all aglow with lights, came their kind Captain.

"Come now, my children," he said cheerily. "To-night you shall stay with me. To-morrow I shall start you off for Germany."

Tightly holding each other's hands they followed him down the half-deserted pier to a carriage which was waiting for him. A steward followed with their box and the Captain's hand bag, and soon they were rolling away through the streets.

Sitting on those soft cushions the little emigrants gazed about them in wondering, awe-struck silence. Surely they had sailed away into fairyland! They were a prince and princesses riding in a crimson chariot through streets paved with precious stones to the door of a splendid palace!

A colored servant put the children to bed. Poor little Gretchen cried for fright, but the Captain was a regular hero.

In the morning the Captain took them to the Chicago express. They kissed his hand gracefully when he bade them good-by. And still our wanderers were in fairy-land. A wonderful river, the like of which they had never seen, flowed between steep walls, and there were palaces and gardens, and trees whose leaves were crimson and gold, and by-and-by, across the water, great shaggy mountains appeared, the home of goblins and giants.

Notwithstanding, however, the apparent impossibility of approaching near enough to the hare to shoot it, there is in reality a very simple way to accomplish it. This plan is practiced by the natives, who no doubt have learned it after many a hungry failure. It consists in walking in a circle around the animal, gradually narrowing the circle until within the proper distance. Simple as this plan is, it is so effective that, with care, the hunter may get within fifty yards of the hare, which seems completely bewildered by this circular course.

Perhaps the sad story of the heroic suffering and final loss of Captain Du Ligne and his brave comrades might never have had, had it not been for their probable ignorance of a matter of no more importance than this of how to shoot a hare. When they left their ship, the Jeannette, they took with them only rifles, thinking, no doubt, that they would fall in with only such large game bears, reindeer and wolves.

As a matter of fact, such large animals were very rare, though ptarmigan, a species of grouse, were plentiful, and would have supplied food in abundance to the whole tribe had there been shotguns with which to shoot them. As it was, the rifles brought down but a few of the birds, and thus, in the midst of comparative plenty, the brave fellows starved.

The night was long and dreary to the faithful brother. The kind lady was gone. Hour after hour he watched his sleeping sisters, determined not to close his eyes. Two rough men behind them snored and grumbled. Ulrich sat by like them, and Elsie told her simple story, and Gretchen showed her book, and seated by her new friend's side, ate the first orange she had ever tasted.

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# THE DAILY RECORD-UNION.

SATURDAY..... DECEMBER 15, 1883

## THIS MORNING'S NEWS.

In New York Government bonds are quoted at \$24 for 1867, 114 for 4½, 101 for 2½; sterling, \$4 80 for 85; 101 for 36, 100 for 50; silver bars, 110.

Silver in London, 50½; consols, 101 11 16½; 5 per cent. United States bonds, extended, 105; 4½, 127½; 4½, 117.

In San Francisco Mexican dollars are quoted at 89½ cents.

There was only a moderate business in mining stocks in San Francisco yesterday morning, and for the most part prices were without change. The most strength was shown in the Alta group, which advanced in value to 25c. Ophir sold up to 10½, a gain of 5c.

Levi James was executed for murder Thursday at Sycamore Court-house, Indian Territory.

The members of the Salvation Army have been discharged from arrest in New Haven, Conn.

The Lord Lieutenant of Ireland has prohibited the Nationalist demonstration announced to be held in Dublin on the 15th.

The death of Henri Martin, the French historian, is announced.

The German Crown Prince has arrived at Barcelona, Spain.

Further details of the great storm in England are received.

A fire at Soquel, Santa Cruz county, Thursday night, caused a loss of \$10,000.

At Bishop Creek, Inyo county, Thursday evening, Seth Kelly shot James H. Richardson.

The British Parliament has been prorogued until February 5th.

Connecticut is overrun with tramps.

A rich gold field is reported near Slocum, Canada. Governor Butler says Arthur is the strongest man in the Republics who could nominate for President.

Two old men were killed by a train at Columbia, S. C., Thursday.

In recent arrest at St. Charles, La., Thomas Cole would be an off and was himself killed.

During the recent gales two steamers were wrecked on the coast of Holland.

Enoch Brown (colored) was hanged at Halifax, N. S., yesterday, for the murder of his wife.

At Shelby, N. C., yesterday, Burt Ellis (colored) was executed for murder.

In a riot near Newburg, Pa., between Italian and negro laborers, several persons were seriously injured.

Clarence Vincent shot Mrs. Henry Williams in San Francisco yesterday, and then killed himself.

General Hancock is to be given a grand reception at the Pavilion in San Francisco next Thursday.

Richard Wigand committed suicide in San Francisco yesterday.

Collins, convicted of the murder of William F. Cummings, was yesterday sentenced at Nevada City to be hanged February 1st.

Frank James has been taken to Galatin, Mo., to be tried for murder.

A row occurred at the polls in New Orleans yesterday, in which several men were killed and wounded.

Mrs. James Mahoney was found murdered near Virginia, Nev., yesterday, and her husband has been arrested for the crime.

Pleasant Hall (colored) was hanged for murder yesterday, at Rolling Fork, Miss.

The Standard Theater in New York was destroyed by fire last night.

Arequipa, Peru, has been evacuated by the Chileans.

Juan Duran, a Mexican, was hanged at Fort Davis, Texas, yesterday, for murdering a Chinaman.

Prince won the racing pace at Oakland Park, beating Shaker and Grey Frank.

## A RECENT IMPORTANT DECISION AS TO ENFORCEMENT OF SANITARY REGULATIONS.

An important Court decision appears in our columns to-day. As it relates to the enforcement of municipal sanitary regulations, it is of interest to all cities; as the points passed upon have never been presented to the Supreme Court of California, it becomes of interest to the entire bar. The Court at length states the law under which sanitary regulations must be carried out in cases in which doubt has heretofore prevailed as to the proper procedure. The same Court recently rendered a decision in another sanitary case—that of Tate—which should be first case—in the reader's mind.

In the "Tate" case the Court found that the landlord had leased for one year, with the privilege of renewal for a new term; that the lease did not provide for entry by the landlord to make repairs; that when the lease was made the nuisance did not exist, nor did it exist at the time of renewal. Under these facts the landlord was arrested under a city ordinance for permitting a nuisance, offensive and dangerous to public health. The Court held that as the facts showed the nuisance was not of the landlord's creation, nor by his permission, he could not be criminally held. By some it was thought that this practically defeated the enforcement of sanitary regulations, for in the case of Chinese tenants it is almost impossible to identify them, but it must be remembered that the landlord can at any time be compelled to disclose the name and fix the identity of his tenant.

In the present case the entire law is stated under which municipal ordinances against nuisances can be enforced. The defendant, C, was arrested for maintaining noxious cesspools on a lot occupied by Chinese tenants. Defendant exercised control over the premises as an agent for M, but without authority to repair or expend money, except as directed. The cesspools became noxious by the neglect of the tenants. The Court below refused to instruct the jury that if C was only an agent for M to collect rents, he was entitled to a verdict. This, it is held, was an error, for the evidence showed that the premises belonged to M, were in possession of his tenants, and that C was an agent with limited powers; hence he cannot be held for omission to do that which he had no authority to do.

This disposes of the case, but the Court, in view of the importance of the whole subject of sanitary regulation, goes further to set forth its view of the law as to the liability of landlords and agents for nuisances committed on premises in possession of their tenants. In brief, the Court holds:

When agents have full discretionary powers they are liable to the same extent as the landlords. What then is the law as to the landlord? If he lets premises free from a nuisance, and by the act of the tenant the premises become a nuisance, he being at the option of the tenant so to use them as to create the nuisance, or not, the landlord is not responsible. The landlord, after leasing, cannot enter to abate a nuisance caused by the tenant any more than a stranger can enter.

But suppose the nuisance exists when the premises were let, or that the very use for which let would constitute a nuisance, and the tenant so uses the premises and maintains the nuisance? Then, says the Court, both tenant and landlord are liable.

But suppose the tenant creates a nuisance during the term of rental, for which the landlord is not liable, and the landlord with the knowledge of the nuisance renews the lease, or grants a new lease to a new tenant, the nuisance being still unabated, is he liable? The Court responds in the

affirmative. From the reasoning of the Court is deduced the rule that rentals by the month are renewals monthly, and hence in the vast majority of cases the landlord can be held.

The tenant in possession of premises, finally says the Court, is always liable for a nuisance thereon. To hold the landlord must be shown that the premises were foul when he let them, or that he renewed the lease while they were foul, or that he created the nuisance himself, or that he retained the general control over the premises. The right to enter to make repairs is the criterion by which the liability of the landlord is to be determined.

These rules seem to be so fortified by authorities that they may be taken for granted by health officials. And now that the Superior Court has cleared the way of the supposed legal obstacles which clogged recent sanitary reform, let the officials re-enter the campaign, and clear the way for action that shall check, if it does not stay, the march of the yellow fever in case it appears in California.

## THE "MATERIALIZATION" DEBATE.

The gentleman who, it has been charged, was deceived in materializing seances held by Elsie Crindle-Reynolds at San Francisco, responds to the letter of Junius by reiteration of his belief that he was not imposed upon. It will be apparent by the reading that the chief basis for this adherence is the evidence of his own senses and of those accompanying him, and his profound conviction that deceit was impossible. This is a dogmatic mode of reasoning that simply closes the door to investigation. If his testimony that deceit was impossible, based on his own estimate of the sufficiency of evidence, and as to what is evidence, is to be the last resort, then exposure is impossible. It will not do to charge a witness with falsity, it must be proven. Yet our friend permits himself, we submit, to beg the question in this false syllogism. "A witness, it is said, will confess that she did deceive. But one who would so deceive is unworthy of belief, therefore the confession goes for nothing, and the testimony is unworthy to be believed." Obviously this is false reasoning. It will not stand the test of the rules of evidence set out under the law. A confession will be received for what is worth, and must be reckoned verily if substantiated in the mouths of other witnesses by physical facts. In this case, suppose it is shown, as is testified to by several witnesses, that the medium did deceive many people at many different times; suppose several of those employed by the medium so testify; suppose the proof is that the medium confessed in several cases to practices of deceit, will any one say that in any one of the single cases a witness confessing is to be ignored because in that particular case, of necessity, there could not be other witnesses? The fact of the several deceptions, and the several false personations reasonably substantiate the confession and testimony in each case, and at least puts the burden of impeachment by preponderating testimony on the other side. But there is this much of admission to be granted, and that is the claim that positive judgment should not be pronounced until the witnesses are brought face to face with the accused. But suppose this shall never be done, it remains that one asserts he was not deceived; that others assert he was deceived, and name the parties who sided in the deception. The result is such a state of doubt that, in view of the fact that the what we term the supernatural is the improbable, and not in accord with known natural laws, the general opinion will be in favor of the theory of imposition by the so-called medium, and not in favor of the improbable. And this, in the absence of stronger proof to the contrary than has yet been adduced, must be the judgment of reason.

## THE JUDGMENT OF A LETTER WRITER.

The correspondent of the New York Evening Post who writes from San Francisco to that journal says: "The industries of California are already beginning to suffer from the self-destructive legislation which expelled one class of laborers who have no votes, to placate another whose votes were of importance to the politicians." Unquestionably there has been, in the agitation of the Chinese question in California, a great deal of demagogic and political influence.

Carlyle is the great writer only of the life of the spirit; happiness and eternal hope—that was Emerson's gospel. But the two men who have written, show this sanguineness in a case where courage and hope are just, where they are also infinitely important, but where they are not easy. The two men are Franklin and Carlyle, and he added: "Happiness in labor, righteousness and veracity—in the life of the spirit; happiness and eternal hope—that was Emerson's gospel. But you have two men who, in what they have written, show this sanguineness in a case where courage and hope are just, where they are also infinitely important, but where they are not easy. The two men are Franklin and Carlyle."

Carlyle, in his judgment of Franklin this week, one found out his name, or residence, or destination. He was a man who could keep his own counsel. Franklinites could not decide whether it was "Black Bart" or "Yankee Charlie," or a Frisco detective, and finally Frank.

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**LOWELL.**

An Estimate of the Method and Work of James Russell Lowell, the Poet, Critic and Diplomat.

[A paper read before the Literary Section of the Brice-Brac Club of Sacramento.]

James Russell Lowell has achieved a high position among the standard authors of America. His most enduring fame rests upon his poetry. His earlier pieces are characterized by both the merits and defects of adolescent verse; but he soon emancipated himself from what may be termed his "veiny" trammels, and became a very forcible and virile writer. His poems attained their highest popularity when they developed into humor and satire; and these qualities being turned into political account, he became one of the first and most effective allies of the little anti-slavery party, which, starting like a cloud no bigger than a man's hand, was destined to swell into proportions mighty and co-extensive with the whole Union. Its lustrious quartet—Whittier, Holmes, Longfellow, Lowell! True to the divine genius of poetry, their muse rose responsive to the spirit of liberty; like the bards of old, they tamed their horses to freedom's key, and turned the shackles of the slave into emblems of national humiliation and reproach—thoroughly.

Are we, then, wholly fallen? Can it be that the north wind, that from the mountains brings? Their spirit to the plains; and then, blue sea? Who can unlock the wreaths of freedom blight? As on an altar—can it be that ye have wasted inspiration on dead?—

Doubt not, to be born in chains is to be born in gaudy gold. It found lodgment in responsive hearts, and when the time came for its full fruition, it sent forth vast armes to do and die for human freedom and national unity.

LOWELL'S HEROIC STANZAS,

However potent in arousing public sentiment to a realization of the blight of manhood in a country whose institutions rested, as on a corner-stone, upon the Declaration of Independence, were doubtless less efficacious than his strong and trenchant metrical satires. About 1846 appeared the first instalment of his Bigelow papers. The *animus furandi*, so to speak, of these Yankee verses was to protest against the Mexican war, on the ground that it was declared and prosecuted in the interest of slavery. An active and earnest soldier in the cause of freedom, Lowell did its utmost to render that war abortive, one of its prominent disciples even going so far as to hope that the Mexicans would welcome our brave soldiers to their shores "with bloody hands to hospitable graves." The result of the hostilities showed how wrong and how unpatriotic these protestants had been. Instead of extending the area of slavery, that war gave to the American Union the chief jewel in its coronet of States. It added to American California, Nevada, Utah, Arizona, New Mexico, giving geographical symmetry to the Union, and isolating widely-separated littoral in the far-reaching waters of two mighty oceans.

The acquired territory was solemnly consecrated to freedom, and in the hour of the nation's trial proved to be its most trusted bulwark. It would be a vain task to consider the literary work of our author, and make no allusion to the strong sentiment of political enthusiasm which so largely pervades his poetry. His most noteworthy effort and satirization of vice and corruption of this life, the motto is to attack them by unmasking them in full day, and holding them up to public approbation in the hideous garments of self-justification. The best vein of the author in this line is illustrated by stanzas, of which this is a fair sample:

It may be glorious to write  
Thoughts that shall glad the two or three  
High souls, like those far stars that come in sight  
Once in a century;—  
But better far to speak  
One's own thoughts now and then  
Sail when their free nature is in the weak  
And friendless souls of men.

To write some earnest verse or line,  
Which seeking not the praise of art,  
Shall make a clear and manhood shine  
In the tutored heart.

THE TEST

By which a poet's right to live beyond his time should be decided is here clearly and justly set forth. He died in 1861.

It is a pity that he touched not on the weak and friendless souls of men.

My penitent course is stedfast—  
I go to the last, and then

Go into it head-bald.

I doubt very much whether the class, of which this bald-headed party was a type, has died out to this day, or even dimished, notwithstanding the timely satire of our author. It is something, however, even for a poet to have stepped aside from the higher and subtler.

THEMES OF INSPIRATION

And given the quota of his Hudibrastic powers to the purifying and elevating of politics. Since, however, he himself has taken a place among the vast array of office-holders, and achieved the dignity of Embassador to the Court of St. James, he has doubtless reached the point where he stands as his predecessor. Still, his bald-headed history will write him down a failure as a diplomat. The vocation which Talleyrand formulated as the art of how to say what you don't believe, and to circumvent by tinsel deception and sugar-coated prevarication, has fallen into the wrong hands, or Lowell's preaching and practice are woefully at odds. To me, our author is sweetest and deepest, more grateful and soul-satisfying, when he sings in majestic strains of those supreme virtues which are the highest of all—Truth and Justice. At the production of his work, he has won the year that know him in the flesh, it is his "Commemoration Ode." It is a lofty poem, and has passages which breathe the very perfume of inspiration. No finer apostrophe is to be found in the language than that addressed to Truth. From his high eminence he says:

Many love Truth, and laud her life's best oil  
Aurum the duns of books to find her,  
Content to be a duncus, and be duncus still,  
With the east candle she has left behind her.

Many in sad faith sought for her,  
Many with crossed hands signed for her,  
Many with a tearful eye signed for her,  
As life's dear pearl wrought for her,

As loved her that died for her,  
To the last, and then

Her divine completeness.

Their higher aims knew not,

Those love her best who themselves are true,  
And who in their hearts have no room to do so;

They followed her and found her,

While all may hope to find,

Not in the world, but in the world,

But in the world, and danger's sweethearts round her.

Wh're faith made whole with dead

Breathes the awakening breath

Life's last, and then

They saw her plumed and mailed,

With sweet, stern face unfeigned,

And all-repaying eyes, look proud on them in death!

Mr. Lowell has written nothing better than these lines, and the whole poem shows how capable he is of sublime flights, and of leaving to posterity an enduring fame. But our author is not blessed with fertility. His only dute is:

A COY AND CAPRICIOUS MUSE,

Not to be wooed at all times, nor to be even easily entreated, but to be won by the long intervals between his productions, but by the unevenness of their merit when produced. But perhaps the exigencies of his other literary labors have interrupted his communings with the fickle goddess, for Mr. Lowell has successfully edited the *North American Review* and the *Atlantic Monthly*, and contributed largely to these and other periodicals. In these magazines he exercised his powers as a critic, and established a reputation as one of the most copious essayists in the country.

The man made up from the reviews and essays which appeared from time to time in those periodicals. A remarkable feature of these re-publications is the carelessness with which the author has revised them. The editorial "we" is overruled quite frequently, showing that in the mere plodding characteristics of the exegete Mr. Lowell is perfectly deficient. His prose works have been elaborately criticized, both in this country and in Europe, and there appears to be good ground for the severe animadversions they have met with in some quarters. A very trenchant and

even venomous review of "Among My Books" and "My Study Windows" appeared in "Lippincott" in June, 1871. The author writes at times with the intense and fervor of a personal enemy, and includes his criticism with these harsh words:

"Into the hands of a clique of ecstatic ex-torturers Mr. Lowell has fallen, and they have done their very best or worst for him."

The qualities they ascribe to their idol are precisely those in which he is most deficient. He is acute, versatile, occasionally brilliant; but he is narrow, shallow, hard—despite of the insight, the comprehension, the sympathy by which the true critic, the true poet, searches the domain of thought and the recesses of the soul. Illiteracy and ignorance are the qualities of a critic; but there is so apparent a bias running through the whole paper that I prefer to take the more

TEMPERATE AND WHOLE-SOME JUDGMENT.

Or another reviewer, W. C. Wilkinson, thus says: "Now, however, but worse, is Mr. Lowell's true literary vernacular. He writes, as Milt wrote, with his left hand in writing prose. But whether in prose or in verse, it is still almost solely by genius and acquirement quite apart from the long labor of art, and of course, therefore, apart from the exercised strength and skill of that discipline to which he produces his final results. He thus chooses his place in the Hall of the letters among the many inheritors of natural genius. His name is destined to be treasured in the history of American literature chiefly as a gracious tradition of personal character universally dear, of culture only second to the genius which it adorned, of fame constantly greater than the achievements to which it appealed." That is not very high praise, if praise it may be termed; but it is the language of the true gentleman, as well as the inexorable verdict of the just critic.

**THE TRUE CRITIC**

Who impartially sees to separate the dross from the pure metal of literary performance, cannot but rise from his laborious task of weighing the claims of Mr. Lowell to a place in the pantheon of lasting fame with a smile of satisfaction.

It is, however, at least that his name is destined to be treasured in the history of American literature chiefly as a gracious tradition of personal character universally dear, of culture only second to the genius which it adorned, of fame constantly greater than the achievements to which it appealed.

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**LEGAL NOTICES.**

NOTICE OF PETITION FOR PARDON.—AP-

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## THE DAILY RECORD-UNION.

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One Square, 300 pages, \$33.00 \$49.50 \$66.00

One Square, 310 pages, \$34.00 \$51.00 \$68.00

One Square, 320 pages, \$35.00 \$52.50 \$70.00

One Square, 330 pages, \$36.00 \$54.00 \$72.00

One Square, 340 pages, \$37.00 \$55.50 \$74.00

One Square, 350 pages, \$38.00 \$57.00 \$76.00

One Square, 360 pages, \$39.00 \$58.50 \$78.00

One Square, 370 pages, \$40.00 \$60.00 \$80.00

One Square, 380 pages, \$41.00 \$61.50 \$82.00

One Square, 390 pages, \$42.00 \$63.00 \$84.00

One Square, 400 pages, \$43.00 \$64.50 \$86.00

One Square, 410 pages, \$44.00 \$66.00 \$88.00

One Square, 420 pages, \$45.00 \$67.50 \$90.00

One Square, 430 pages, \$46.00 \$69.00 \$92.00

One Square, 440 pages, \$47.00 \$70.50 \$94.00

One Square, 450 pages, \$48.00 \$72.00 \$96.00

One Square, 460 pages, \$49.00 \$73.50 \$98.00

One Square, 470 pages, \$50.00 \$75.00 \$100.00

One Square, 480 pages, \$51.00 \$76.50 \$102.00

One Square, 490 pages, \$52.00 \$78.00 \$104.00

One Square, 500 pages, \$53.00 \$79.50 \$106.00

One Square, 510 pages, \$54.00 \$81.00 \$108.00

One Square, 520 pages, \$55.00 \$82.50 \$110.00

One Square, 530 pages, \$56.00 \$84.00 \$112.00

One Square, 540 pages, \$57.00 \$85.50 \$114.00

One Square, 550 pages, \$58.00 \$87.00 \$116.00

One Square, 560 pages, \$59.00 \$88.50 \$118.00

One Square, 570 pages, \$60.00 \$90.00 \$120.00

One Square, 580 pages, \$61.00 \$91.50 \$122.00

One Square, 590 pages, \$62.00 \$93.00 \$124.00

One Square, 600 pages, \$63.00 \$94.50 \$126.00

One Square, 610 pages, \$64.00 \$96.00 \$128.00

One Square, 620 pages, \$65.00 \$97.50 \$130.00

One Square, 630 pages, \$66.00 \$99.00 \$132.00

One Square, 640 pages, \$67.00 \$100.50 \$134.00

One Square, 650 pages, \$68.00 \$102.00 \$136.00

One Square, 660 pages, \$69.00 \$103.50 \$138.00

One Square, 670 pages, \$70.00 \$105.00 \$140.00

One Square, 680 pages, \$71.00 \$106.50 \$142.00

One Square, 690 pages, \$72.00 \$108.00 \$144.00

One Square, 700 pages, \$73.00 \$109.50 \$146.00

One Square, 710 pages, \$74.00 \$111.00 \$148.00

One Square, 720 pages, \$75.00 \$112.50 \$150.00

One Square, 730 pages, \$76.00 \$114.00 \$152.00

One Square, 740 pages, \$77.00 \$115.50 \$154.00

One Square, 750 pages, \$78.00 \$117.00 \$156.00

One Square, 760 pages, \$79.00 \$118.50 \$158.00

One Square, 770 pages, \$80.00 \$120.00 \$160.00

One Square, 780 pages, \$81.00 \$121.50 \$162.00

One Square, 790 pages, \$82.00 \$123.00 \$164.00

One Square, 800 pages, \$83.00 \$124.50 \$166.00

One Square, 810 pages, \$84.00 \$126.00 \$168.00

One Square, 820 pages, \$85.00 \$127.50 \$170.00

One Square, 830 pages, \$86.00 \$129.00 \$172.00

One Square, 840 pages, \$87.00 \$130.50 \$174.00

One Square, 850 pages, \$88.00 \$132.00 \$176.00

One Square, 860 pages, \$89.00 \$133.50 \$178.00

One Square, 870 pages, \$90.00 \$135.00 \$180.00

One Square, 880 pages, \$91.00 \$136.50 \$182.00

One Square, 890 pages, \$92.00 \$138.00 \$184.00

One Square, 900 pages, \$93.00 \$139.50 \$186.00

One Square, 910 pages, \$94.00 \$141.00 \$188.00

One Square, 920 pages, \$95.00 \$142.50 \$190.00

One Square, 930 pages, \$96.00 \$144.00 \$192.00

One Square, 940 pages, \$97.00 \$145.50 \$194.00

One Square, 950 pages, \$98.00 \$147.00 \$196.00

One Square, 960 pages, \$99.00 \$148.50 \$198.00

One Square, 970 pages, \$100.00 \$150.00 \$200.00

One Square, 980 pages, \$101.00 \$151.50 \$202.00

One Square, 990 pages, \$102.00 \$153.00 \$204.00

One Square, 1000 pages, \$103.00 \$154.50 \$206.00

One Square, 1010 pages, \$104.00 \$156.00 \$208.00

One Square, 1020 pages, \$105.00 \$157.50 \$210.00

One Square, 1030 pages, \$106.00 \$159.00 \$212.00

One Square, 1040 pages, \$107.00 \$160.50 \$214.00

One Square, 1050 pages, \$108.00 \$162.00 \$216.00

One Square, 1060 pages, \$109.00 \$163.50 \$218.00

One Square, 1070 pages, \$110.00 \$165.00 \$220.00

One Square, 1080 pages, \$111.00 \$166.50 \$222.00

One Square, 1090 pages, \$112.00 \$168.00 \$224.00

One Square, 1100 pages, \$113.00 \$169.50 \$226.00

One Square, 1110 pages, \$114.00 \$171.00 \$228.00

One Square, 1120 pages, \$11

